

Hearing Date: May 16, 2023 at 11:00 a.m. (EST)

TOGUT, SEGAL & SEGAL LLP

Albert Togut
Kyle J. Ortiz
Brian F. Moore
One Penn Plaza, Suite 3335
New York, NY 10119
Phone: (212) 594-5000
Email: altogut@teamtogut.com
kortiz@teamtogut.com
bmoore@teamtogut.com

Proposed Counsel to the Debtors and Debtors in Possession

SHEARMAN & STERLING LLP

Fredric Sosnick
William S. Holste
Jacob S. Mezei
599 Lexington Avenue
New York, NY 10022
Phone: (212) 848-4000
Email: fsosnick@shearman.com
william.holste@shearman.com
jacob.mezei@shearman.com

SHEARMAN & STERLING LLP

Ian E. Roberts (*pro hac vice* pending)
2601 Olive Street, 17th Floor
Dallas, TX 75201
Phone: (214) 271-5777
Email: ian.roberts@shearman.com

Proposed Special Counsel to the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

VICE GROUP HOLDING INC., *et al.*

Debtors.¹

Chapter 11

Case No. 23-10738 (JPM)

(Joint Administration Requested)

**AGENDA FOR FIRST DAY HEARING ON
MAY 16, 2023 AT 11:00 AM (ET) AND INDEX OF FIRST DAY PAPERS**

Time and Date of Hearing: May 16, 2023 at 11:00 a.m.
(prevailing Eastern Time)

Copies of Motions: A copy of each pleading can be viewed at the website of the Debtors' claims and noticing agent at: <https://cases.stretto.com/vice>, or available for a fee on the Court's website at www.ecf.uscourts.gov.

¹ The last four digits of Debtor Vice Group Holding Inc.'s tax identification number are 4250. Due to the large number of debtors in these chapter 11 cases, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/vice>. The location of the Debtors' service address for purposes of these chapter 11 cases is: 49 South 2nd Street, Brooklyn, NY 11249.

The first day hearing (“First Day Hearing”) will be held on **May 16, 2023 at 11:00 AM (ET)** before the Honorable Judge John P. Mastando III, United States Bankruptcy Judge for the United States Bankruptcy Court for the Southern District of New York (the “Court”). In light of the COVID-19 pandemic and the Court’s General Order M-543, dated March 20, 2020, the Hearing shall be held via **Zoom for Government**. Parties wishing to appear at the Hearing, whether making a “live” or “listen only” appearance before the Court, must make an electronic appearance utilizing the Electronic Appearance portal located at the Court’s website at: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>. Appearances must be entered no later than **May 15, 2023 at 4:00 p.m. (Prevailing Eastern Time)** (the “Appearance Deadline”). After the Appearance Deadline has passed, parties who have made their electronic appearance through the Court’s website to appear via Zoom for Government will receive an invitation from the Court with a Zoom link that will allow them to attend the Hearing. Requests to receive a Zoom link should not be emailed to the Court, and the Court will not respond to late requests that are submitted on the day of the hearing. Further information on the use of Zoom for Government can be found at the Court’s website at <https://www.nysb.uscourts.gov/zoom-videohearing-guide>.

I. First Day Hearing:

A. Introduction:

1. First Day Declaration.

Declaration of Frank A. Pometti in Support of the Debtors’ Chapter 11 Petitions and First Day Pleadings [Docket No. 3].

B. Procedural Matters:

1. Joint Administration Motion

Debtors’ Motion for Entry of an Order Authorizing and Directing Joint Administration of Chapter 11 Cases [Docket No. 2].

2. Schedules Motion.

Debtors’ Motion for Entry of an Order (I) Extending Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs and (II) Granting Related Relief [Docket No. 4].

3. Creditor Matrix Motion.

Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Prepare a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (II) Authorizing the Debtors to File a Consolidated List of the Debtors’ Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Certain Personally Identifiable Information, (IV) Approving the Form and

Manner of Notifying Creditors of Commencement, and (V) Granting Related Relief [Docket No. 5].

4. Claims and Noticing Agent Application (Stretto)

Debtors' Application Seeking Entry of an Order (I) Authorizing and Approving the Appointment of Stretto, Inc. As Claims and Noticing Agent and (II) Granting Related Relief [Docket No. 19].

D. Operational Matters

5. Taxes Motion

Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Taxes and Fees and (II) Granting Related Relief [Docket No. 7].

6. NOL Motion

Debtors' Motion for Entry of Interim and Final Orders (I) Establishing Notice and Objection Procedures for Transfers of Equity Securities and Claims of Worthless Stock Deductions and (II) Granting Related Relief [Docket No. 8].

7. Cash Management Motion.

Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Continue to (A) Utilize their Existing Cash Management System, (B) Maintain their Existing Bank Accounts, (C) Perform Intercompany Transactions, (D) Utilize and Maintain their Existing Business Forms and (E) Utilize their Corporate Credit Card Programs and (II) Granting Related Relief [Docket No. 9].

8. Insurance Motion

Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue their Prepetition Insurance Coverage and Pay Prepetition Obligations Thereunder, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (C) Continue to Pay Insurance Brokerage Commissions, and (II) Granting Related Relief [Docket No. 10].

9. Critical Vendors Motion.

Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Claims of Certain (A) Freelancers, (B) Critical Vendors, and (C) Foreign Vendors and (II) Granting Related Relief [Docket No. 11].

10. Wages Motion

Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Prepetition Wages, Salaries, Reimbursable Expenses, and Other

Obligations Arising from Compensation and Benefits Programs and (B) Continue Compensation and Benefits Programs and (II) Granting Related Relief [Docket No. 12].

11. DIP Motion

Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Superpriority Claims, (III) Modifying the Automatic Stay, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Docket No. 13].

Related Filing:

Declaration of Brent Herliny In Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Superpriority Claims, (III) Modifying the Automatic Stay, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Docket No. 14].

12. Motion to Shorten

Debtors' Motion to Shorten Notice to Consider Debtors' Motion for Entry of An Order (I) Establishing Bidding, Noticing, and Assumption and Assignment Procedures, (II) Authorizing and Approving the Debtors' Entry Into the Stalking Horse Agreement, (III) Approving the Sale of Substantially All of the Debtors' Assets and (IV) Granting Related Relief [Docket No. 15].

Dated: May 15, 2023
New York, New York

VICE GROUP HOLDING INC., et al.
Debtors and Debtors in Possession
By its Proposed Counsel
TOGUT, SEGAL & SEGAL LLP,
By:

/s/Kyle J. Ortiz

ALBERT TOGUT

KYLE J. ORTIZ

BRIAN F. MOORE

One Penn Plaza, Suite 3335

New York, New York 10119

Telephone: (212) 594-5000

altogut@teamtogut.com

kortiz@teamtogut.com

bmoore@teamtogut.com